



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

**5 Post Office Square, Suite 100
Boston, MA 02109-3912**

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE**

AUG 10 2011

Clare C. Hampford Donohue, President
Hampford Research Inc.
54 Veterans Boulevard
Stratford, CT 06615

Re: Clean Air Act Administrative Order and Reporting Requirement for Hampford
Research's Veterans Boulevard Facility

Dear Ms. Donohue:

The United States Environmental Protection Agency ("EPA") is issuing an Administrative Order and Reporting Requirement to the Hampford Research, Inc. ("Hampford") facility located at 54 Veterans Boulevard in Stratford, Connecticut. This action is based on an inspection that EPA conducted at Hampford on March 7, 2011.


The AO contains EPA's findings that Hampford violated National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources, found at 40 CFR Part 63, Subpart VVVVVV ("Subpart 6V") by failing to submit an initial notification. The AO orders Hampford to come into compliance with Subpart 6V.

Hampford also is subject to the State of Connecticut's federally-enforceable state implementation plan under the Clean Air Act ("CAA") as well as Section 608 of the CAA, which regulates emissions of refrigerants that damage the stratospheric ozone layer. Specifically, this facility is subject to the Recycling and Emissions Reduction regulations found at 40 C.F.R. Part 82, Subpart F ("Subpart F"). The Reporting Requirement orders Hampford to submit information so that EPA can further evaluate Hampford's compliance with the CAA and its implementing regulations.

Please note that, under separate cover, EPA is concurrently sending Hampford a Reporting Requirement concerning the facility located on West Broad Street in Stratford, CT.

If you have any questions regarding this Administrative Order and Reporting Requirement, please contact Environmental Engineer Steven Rapp at (617) 918-1551, or have your attorney call Senior Enforcement Counsel Thomas Olivier at (617) 918-1737.

Sincerely,


Acting for Susan Studlien, Director

Office of Environmental Stewardship

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
EPA NEW ENGLAND**

In the Matter of:

Hampford Research, Inc.
54 Veterans Boulevard
Stratford, CT 06615

Proceeding under Sections 113
and 114 of the Clean Air Act

**ADMINISTRATIVE ORDER AND
REPORTING REQUIREMENT**

INTRODUCTION

1. The United States Environmental Protection Agency ("EPA") issues this Administrative Order to Hampford Research, Inc ("Hampford") for violations of the National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources, found at 40 CFR Part 63, Subpart VVVVVV ("Subpart 6V").
2. The Administrative Order ("AO") is issued under the authority of Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3).
3. The United States Environmental Protection Agency ("EPA") also is evaluating whether Hampford is in compliance with the Clean Air Act ("CAA" or "Act") and requirements promulgated under the Act, including but not limited to the Federal Stratospheric Ozone Protection Regulations found at 40 CFR Part 82, Subpart F, and the Connecticut State Implementation Plan, found at Connecticut Abatement of Air Pollutant Regulations 22a-174-1 through 43.
4. Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require any person who owns or operates any emission source to establish and maintain records, make

reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether a facility is in compliance with the Act.

5. The Reporting Requirement ("RR") is issued under the authority of Section 114(a)(1) of the Act, 42 U.S.C. § 7414.
6. The RR requires Hampford to submit information so that EPA can further evaluate Hampford's compliance with the Act and its implementing regulations.

FINDINGS

7. Hampford owns and operates a chemical manufacturing facility located at 54 Veterans Boulevard in Stratford, Connecticut (the "Facility").
8. Under the general provisions of 40 C.F.R. Part 63, Subpart A ("the General Provisions"), an area source is defined as a facility that emits less than 10 tons per year of a single hazardous air pollutant ("HAP") and less than 25 tons per year of combined HAPs.
9. The Facility is subject to Connecticut permit 178-0120, dated September 11, 2007, which limits HAP emissions to 9.9 tons per year of any individual HAP and 24.9 tons per year for any combination of HAPs for all equipment at the Facility.
10. Based on the permit limit on HAPs emissions, the Facility is considered an area source.
11. Subpart 6V applies to those who own or operate a chemical manufacturing process unit ("CMPU") at an area source, that uses as feedstocks, generates as byproducts, or produces as products any of the target HAPs listed in Table 1 of Subpart 6V, at concentrations greater than 0.1% for carcinogens or 1.0% for non-carcinogens. See 40 C.F.R. §63.11494(a).
12. Methylene chloride is a HAP listed in Table 1 of Subpart 6V, and is classified as a probable carcinogen.

13. On March 7, 2011, representatives of EPA conducted an inspection of the Facility. During the inspection, Hampford provided evidence that the Facility uses methylene chloride as a feedstock in a CMPU at a concentration greater than 1.0%.
14. Based on the Facility's use of methylene chloride as a feedstock in a CMPU, and the Facility's area source status, Subpart 6V applies to Hampford.
15. Section 63.11501 of Subpart 6V and Section 63.9(b)(2) of the General Provisions require an existing facility subject to Subpart 6V to submit an initial notification within 120 days of the effective date, in this case by February 26, 2010.
16. Hampford did not submit an initial notification by February 26, 2011. Therefore, Hampford is in violation of Subpart 6V.

ADMINISTRATIVE ORDER

17. Based on the foregoing, this AO, issued under the authority of Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3), requires that Hampford comply with Subpart 6V, including by submitting an initial notification, as expeditiously as practicable but no later than 30 days from the date of receipt of this AO.

REPORTING REQUIREMENT

18. Within 30 days of receipt of this RR, Hampford must provide EPA with the information detailed in Paragraphs 19 through 28, below.
19. A list and description of all chemical manufacturing equipment currently located at Hampford's Facility, including:
 - a. the manufacturer's name and model number; and
 - b. the purpose of the equipment;

- c. the date that each piece of equipment was purchased;
 - d. the date and location in the facility where the equipment was installed (or stored if the equipment has not yet been installed);
 - e. the maximum capacity of the equipment, including throughput.
20. Facility-wide actual monthly VOC and HAP emissions, listed by individual VOC and HAP (if known), from July 1, 2006 to the present.
21. Copies of all correspondence between Hampford and the Connecticut Department of Environmental Protection concerning the facility's air emissions, including permit applications, letters, emails, or phone records.

Ozone Depleting Substances:

22. Identify the refrigerant used at this facility and indicate whether the refrigerant is a Class I or Class II substance or their substitutes.
23. Provide the name(s) of all employees of Hampford who maintain, service, remove, repair, or dispose of appliances which contain and use a Class I or Class II substance as a refrigerant at each facility. Provide the date of certification for each technician. Indicate the level of certification, and provide a copy of each technician's certificate.
24. Provide the name, address, and telephone number of each person, agent, or business entity from whom Hampford purchased refrigerant for use at each facility and provide records indicating the amount of refrigerant purchased from January 1, 2006 to present.
25. List the appliances at this facility with refrigerant capacities of more than 50 pounds that contain and use a Class I or Class II refrigerant or their substitutes. Identify whether each unit is an industrial refrigeration unit, commercial refrigeration unit, comfort cooler, or other type.

If another type, please explain its function.

26. For each appliance referenced in question 25, state the quantity of refrigerant (in pounds) the appliance holds at full charge, the type of refrigerant used, and the date the full charge was most recently determined.
27. For each appliance referenced in question 25, provide a description of its location within the facility, along with its name, serial number, or other identification used by Hampford.
28. For each appliance referenced in question 25, provide copies of any and all work logs, service tickets, invoices, and any other documents maintained by Hampford and relating to service and repair between January 1, 2006 and the present. Such records shall include:
 - a. the date any service was performed;
 - b. the date each leak was discovered and amount of refrigerant that leaked.
 - c. a detailed description of all repair work done in association with each leak (if repairs were not conducted, explain why);
 - d. the date each repair was conducted;
 - e. the amount of refrigerant added; and
 - f. the name of the technician who performed the work.

All information shall be sent to:

Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
5 Post Office Sq. Suite 100 (OES04-2)
Boston, Massachusetts 02109-3912
Attn: Abdi Mohamoud

And

Robert Girard, Assistant Director

Air Compliance and Field Operation
CT Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

Be aware that if Hampford does not provide the requested information in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Act, 42 U.S.C. § 7413. Federal law establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

Hampford may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. §2.203(b). Note that certain categories of information, such as emissions data, are not properly the subject of such a claim. Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to Hampford. Be aware that state law may have different provisions regarding confidential business information.

ENFORCEMENT

29. At any time EPA may issue Hampford an administrative penalty order, or commence a civil judicial action for penalties and injunctive relief, regarding any of the above-cited violations. (See Sections 113(a), (b) and (d) of the Act, 42 U.S.C. §§ 7413(a), (b) and (d), and 40 C.F.R. Part 19 (Clean Air Act judicial and administrative daily penalties raised from \$25,000 to

\$37,500 per violation). Be advised that where EPA or another agency has notified a source of a violation, in certain circumstances the violation shall be presumed to continue for each and every day from the date of notice until the violator establishes that continuous compliance has been achieved. (See Section 113(e)(2) of the Act.)

30. If Hampford has knowingly violated the requirements of 40 C.F.R. Part 63, Subpart 6V, Hampford and its responsible personnel may be subject to criminal penalties under Title 18 of the United States Code, imprisonment for not more than five years, or both. (See Section 113(c) of the Act, 42 U.S.C. § 7413(c).) In addition, federal law establishes criminal penalties for providing false statements, representations or certifications to EPA.

EFFECTIVE DATE AND APPLICABILITY

31. This AO and RR shall become effective immediately upon signature and issuance by EPA, and shall apply to Hampford, its officers, agents, servants, employees, successors, and assigns, and to all persons, firms, and corporations acting under, through, or for Hampford.
32. If Hampford has any questions regarding this action, please contact Steve Rapp, Environmental Engineer, at (617) 918-1551, or have your legal counsel contact Thomas T. Olivier, Senior Enforcement Counsel, at (617) 918-1737. Should Hampford so desire, it may request an opportunity to confer with EPA by contacting Mr. Rapp or Mr. Olivier.

Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
Region I – New England

Date